DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew T. Harry on January 26, 2010.

The application has been amended as follows:

1. (Currently Amended) A radio communications system for transmitting same data from an upper node to a plurality of cells via a plurality of base stations, and performing a soft combining or a selective combining on the same data received by a mobile station, the radio communications system comprising:

an upper node synchronization controlling unit, at the upper node, configured to control synchronization processing on transmission timing of the same data among the plurality base stations based on a transmission delay time of a downlink between the upper node and the plurality of base stations; and

a base station synchronization controlling unit, at each of the plurality of base stations, configured to control synchronization processing on transmission timing of the same information among the plurality of base stations based on a transmission delay time of a downlink between each of the plurality of cells, wherein

the upper node synchronization controlling unit is configured to control the synchronization processing on transmission timing by a second accuracy,

the base station synchronization controlling unit is configured to control the synchronization processing on transmission timing by a first accuracy, and

the first accuracy by which the synchronization processing on transmission timing is controlled is higher than the second accuracy by which the synchronization processing on transmission timing is controlled.

2. (Previously Presented) The radio communications system according to claim 1, wherein

the upper node synchronization controlling unit is configured to control the synchronization processing on transmission timing by a second cycle,

the base station synchronization controlling unit is configured to control the synchronization processing on transmission timing by a first cycle, and

the first cycle is shorter than second cycle.

3. Claims 3-4 (Canceled)

Allowable Subject Matter

2. Claims 1-2 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Claims 1-2 are allowed because the closes prior art, Park (US 2004/0008646) and Kim (US 2003/0119452), either alone or in combination, fails to anticipate or render obvious a radio communications system for transmitting same data from an upper node to a plurality of cells via a plurality of base stations, and performing a soft combining or a selective combining on the same data received by a mobile station, the radio communications system comprising:

an upper node synchronization controlling unit, at the upper node, configured to control, synchronization processing on transmission timing of the same data among the plurality base stations based on a transmission delay time of a downlink between the upper node and the plurality of base stations; and

a base station synchronization controlling unit, at each of the plurality of base stations, configured to control synchronization processing on transmission timing of the same information among the plurality of base stations based on a transmission delay time of a downlink between each of the plurality of cells,

wherein the upper node synchronization controlling unit is configured to control the synchronization processing on transmission timing by a second accuracy,

the base station synchronization controlling unit is configured to control the synchronization processing on transmission timing by a first accuracy, and

the first accuracy by which the synchronization processing on transmission timing is controlled is higher than the second accuracy by which the synchronization processing on transmission timing is controlled.

Specifically, Park and Kim, either alone or in combination, fails to teach the radio network controller (upper node) synchronization controlling unit is configured to control the

synchronization processing on transmission timing by a second accuracy, the base station synchronization controlling unit is configured to control the synchronization processing on transmission timing by a first accuracy, and the synchronization processing on transmission timing by a first accuracy is higher than synchronization processing on transmission timing by a second accuracy.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY PHAM whose telephone number is (571)270-7115. The examiner can normally be reached on Monday-Friday; 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Timothy Pham/
Examiner, Art Unit 2617

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617